

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION**

IN RE:

BLANCA RODRIGUEZ

Debtors

CASE NO: 19-20324

CHAPTER 13

JUDGE: Daniel S. Opperman

DEBTOR'S FIRST POST CONFIRMATION CHAPTER 13 PLAN MODIFICATION

NOW COMES Debtor(s), by and through their Attorney, Robert Shelton, proposes the following post-confirmation modification to the debtor's Chapter 13 Plan;

1. Debtor(s) proposes to maintain their plan payments and plan funding as follows:
\$95.00 monthly.
2. Debtor(s) proposes that, upon court approval of this plan modification, any plan funding delinquency as a result of missed plan payments or failure to pay income tax refunds to the Trustee is forgiven.
3. Debtor, who is and was below the median income at the time of filing, originally proposed a 60-month repayment plan. Debtor's plan has proceeded for 40 months and has 20 months remaining. Debtor proposes to shorten her remaining plan to 10 months upon confirmation of this modification.
4. All other terms of the confirmed plan and the May 10, 2019 Order Confirming Plan remain the same and are incorporated herein.
5. Pursuant to LBR 3015-2(b)(1)(C) the impact of the proposed plan modification on each class of creditors is as follows:
 1. Class One: NONE
 2. Class Two: NONE
 3. Class Three: NONE
 4. Class Four: NONE
 5. Class Five: NONE
 6. Class Six: NONE
 7. Class Seven: NONE
 8. Class Eight: NONE
 9. Class Nine: The distribution to Class Nine Creditors is estimated to decrease.

Attached hereto are the following as required by LBR 3015-2(b)(1)(B):

1. Liquidation Analysis (See attachment one)
2. Chapter 13 Worksheet (See attachment two)

Dated: September 27, 2022

Respectfully Submitted,
ROBERT SHELTON, P.L.C.

/s/ Robert Shelton

Robert Shelton (P81288)
Attorney for Chapter 13 Debtor
1109 Court St. 2nd Floor
Saginaw, MI 48602
(989) 401-4456 Phone
lawyershelton@gmail.com

/s/Blanca Rodriguez

Blanca Rodriguez
Debtor

ATTACHMENT 1

LIQUIDATION ANALYSIS AND STATEMENT OF VALUE OF ENCUMBERED PROPERTY :

TYPE OF PROPERTY	FAIR MARKET VALUE	LIENS	DEBTOR'S SHARE OF EQUITY	EXEMPT AMOUNT	NON-EXEMPT AMOUNT
PERSONAL RESIDENCE					
1833 Joslin St. Saginaw, MI 48602 Saginaw County	20,000.00	0.00	10,000.00	10,000.00	0.00
PERSONAL RESIDENCE (total)	20,000.00	0.00	10,000.00	10,000.00	0.00
REAL ESTATE OTHER THAN PERSONAL RESIDENCE	0.00	0.00	0.00	0.00	0.00
HHG/PERSONAL EFFECTS					
Furniture	300.00	0.00	150.00	150.00	0.00
HHG/PERSONAL EFFECTS (total)	750.00	0.00	600.00	600.00	0.00
JEWELRY					
Jewelry	250.00	0.00	250.00	250.00	0.00
JEWELRY (total)	250.00	0.00	250.00	250.00	0.00
CASH/BANK ACCOUNTS	10.00	0.00	7.50	7.50	0.00
VEHICLES					
2002 Ford Explorer 215000 miles Location: 1118 Cass St., Saginaw MI 48602 Vehicle is nonfunctional.	1,500.00	0.00	1,500.00	1,500.00	0.00
VEHICLES (total)	1,500.00	0.00	1,500.00	1,500.00	0.00
OTHER (itemize)					
Rent: Miguel Munoz	400.00	0.00	200.00	200.00	0.00

Local Form 10-24-17 V 1

American General Life Annuity - Life Contingent - Beginning 01/15/2041 Current Estimated Value \$5000	5,000.00	0.00	5,000.00	5,000.00	0.00
OTHER (total)	5,400.00	0.00	5,200.00	5,200.00	0.00

Amount available upon liquidation	\$	0.00
Less administrative expenses and costs	\$	0.00
Less priority claims	\$	0.00
Amount Available in Chapter 7	\$	0.00

ATTACHMENT 2

CHAPTER 13 MODEL WORKSHEET
LOCAL BANKRUPTCY RULE 3015-1(B)(2) E.D.M

1.	Proposed length of Plan:	<u>10</u>	months	
2.	Initial Plan Payment:			
	\$95.00 per month x 10 months = \$950.00 (subtotal)			
3.	Additional Payments:	\$	per=(subtotal)	
4.	Lump sums payments			<u>\$0.00</u>
5.	Total to be paid into Plan (total of lines 2 through 4)			<u>\$950.00</u>
6.	Estimated disbursements other than to Class 9 General Unsecured Creditors			
	a. Estimated Trustee Fees			<u>\$84.55</u>
	b. Estimated Attorney Fees and costs through confirmation of plan			<u>\$0.00</u>
	c. Estimated Attorney Fees and costs post-confirmation through duration of Plan			<u>\$400.00</u>
	d. Estimated fees of other Professionals			<u>\$0.00</u>
	e. Total mortgage and other continuing secured debt payments			<u>\$0.00</u>
	f. Total non-continuing secured debt payments (including interest)			<u>\$0.00</u>
	g. Total priority claims			<u>\$0.00</u>
	h. Total arrearage claims			<u>\$0.00</u>
7.	Total disbursements other than to Class 9 General Unsecured Creditors (Total of lines 6.a through 6.h)			\$ <u>484.55</u>
8.	Funds <i>estimated</i> to be available for Class 9 General Unsecured Creditors (Line 5 minus Line 7)			\$ <u>465.55</u>
9.	Estimated dividend to Class 9 General Unsecured Creditors in Chapter 7 proceeding (see Liquidation Analysis on page 6)			\$ <u>0.00</u>

COMMENTS:

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Notice of Deadline to Object to Proposed Chapter 13 Plan Modification

The deadline to file an objection to the attached proposed chapter 13 plan modification is 21 days after service.

If no timely responses are filed to a proposed post-confirmation plan modification, the proponent may file a certificate of no response and request entry of an order approving the plan modification.

If a timely objection is filed, the Court will set the matter for hearing and give notice of the hearing to the debtor, the proponent of the plan modification, the trustee and any objecting parties. In that event, the plan modification will become effective when the Court enters an order overruling or resolving all objections.

Objections to the attached proposed chapter 13 plan modification shall be served on the following:

Robert Shelton, Attorney for Debtor, 1109 Court St. 2nd Floor, Saginaw, MI 48602

Thomas W. McDonald, Jr., Chapter 13 Trustee, 3144 Davenport Avenue, Saginaw, MI 48602

Date: September 27, 2022

Respectfully Submitted,
ROBERT SHELTON, P.L.C.
/s/ Robert Shelton
Robert Shelton (P81288)
Attorney for Chapter 13 Debtor
1109 Court St. 2nd Floor
Saginaw, MI 48602
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Debtor(s)

**(PROPOSED) ORDER APPROVING CHAPTER 13 FIRST MODIFIED POST-
CONFIRMATION PLAN MODIFICATION**

The Chapter 13 debtor herein having filed a Notice seeking approval of their Chapter 13 Post-Confirmation First Modified Plan and a copy of the Chapter 13 Post-Confirmation First Modified Plan and Notice having been mailed out to all creditors and interested parties as appears from the Proof of Service filed with the Court and all objections having been resolved to the proposed plan modification and the Court finding that each of the requirements for approval of the Post-Confirmation Chapter 13 Plan Modification pursuant to 11 U.S.C. §1325(a) and §1329 have been met and the Court being otherwise fully advised in the premises;

IT IS HEREBY ORDERED that the debtor's Chapter 13 Post-Confirmation First Modified Plan filed with the Court on September 27, 2022 shall be and hereby is approved by the Court.

IT IS FURTHER ORDERED that in Class V of the Plan, the term "crammed" refers to the bifurcation of a claim pursuant to the claim pursuant to 11 U.S.C. section 506 and is not applicable to 910 vehicle claims; and the term "modified" refers to a change in the interest rate or other terms not relating to collateral value, and the secured creditor will be paid equal monthly payments pursuant to the amount as recited in the claim.

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CERTIFICATE OF SERVICE

I, Robert Shelton, being duly sworn, says:

I am a legally competent adult and not a party or an officer of a corporate party in the above-titled action.

I provided service of the Debtor's FIRST POST-CONFIRMATION PLAN MODIFICATION, PROPOSED ORDER, and NOTICE to the Chapter 13 Trustee and all interested parties as set forth in the matrix via ECF or first-class mail.

Date: September 27, 2022

Respectfully Submitted,
ROBERT SHELTON, P.L.C.

/s/ Robert Shelton

Robert Shelton (P81288)
Attorney for Chapter 13 Debtor
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